

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

WAYMO LLC,

No. C 17-00939 WHA

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; and OTTO
TRUCKING LLC,

**ORDER GRANTING
PERMISSION TO FILE
MOTION FOR JURY
INSTRUCTION BASED ON
SPOILIATION**

Defendants.

Having considered plaintiff Waymo LLC's précis (Dkt. No. 2052) and the oppositions thereto (Dkt. Nos. 2088, 2096), and in light of the order granting summary judgment in favor of defendant Otto Trucking LLC (Dkt. No. 2151), the Court **GRANTS** permission for Waymo to file a motion for an adverse inference jury instruction based on alleged spoliation of evidence by defendants Uber Technologies, Inc., and Ottomotto LLC (but not by Otto Trucking). The proposed motion must be filed by **NOVEMBER 13 AT NOON**, with the opposition due by **NOVEMBER 20 AT NOON** and any reply due by **NOVEMBER 24 AT 5:00 P.M.**

IT IS SO ORDERED.

Dated: November 7, 2017.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE